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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 CAROL TUCKER,

9 Plaintiff,

10 v.

11 UNITED STATES POSTAL SERVICE,

12 Defendant.

CASE NO. 3:20-cv-5537-RAJ

ORDER ON REVIEW OF MOTION
FOR RECUSAL

13 On September 5, 2020, Plaintiff Carol Tucker filed a Motion seeking to disqualify the
14 Honorable Richard A. Jones in this matter. Dkt. #38. On October 14, Judge Jones issued an
15 Order declining to recuse himself and, in accordance with this Court's Local Rules, referring that
16 decision to the Chief Judge for review. Dkt. #45; LCR 3(f).

17 A judge of the United States shall disqualify himself in any proceeding in which his
18 impartiality "might reasonably be questioned." 28 U.S.C. § 455(a). Federal judges also shall
19 disqualify themselves in circumstances where they have a personal bias or prejudice concerning
20 a party or personal knowledge of disputed evidentiary facts concerning the proceeding. 28
21 U.S.C. § 455(b)(1). Pursuant to 28 U.S.C. § 144, "whenever a party to any proceeding in a
22 district court makes and files a timely and sufficient affidavit that the judge before whom the
23 matter is pending has a personal bias or prejudice either against him or in favor of any adverse
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1 party, such judge shall proceed no further therein, but another judge shall be assigned to hear
2 such proceeding.” “[A] judge’s prior adverse ruling is not sufficient cause for recusal.” *United*
3 *States v. Studley*, 783 F.2d 934, 939 (9th Cir. 1986); *see also Taylor v. Regents of Univ. of Cal.*,
4 993 F.2d 710, 712 (9th Cir. 1993) (“To warrant recusal, judicial bias must stem from an
5 extrajudicial source.”).

6 Ms. Tucker’s grounds for seeking recusal are the assertion that Judge Jones is “another
7 Bush-appointed judge” who “intends to refuse to acknowledge the meritorious facts of this case.
8 *See* Dkt. #38 at 1. Ms. Tucker also attacks the substance of Judge Jones’s recent ruling denying
9 her TRO motion. *Id.* at 1–2.

10 The Court finds that Ms. Tucker has failed to present any reasonable basis to grant the
11 requested relief. The political party of the president who appointed a judge does not alone
12 constitute a basis to reasonably question impartiality. Further, any prior adverse rulings are not
13 sufficient cause for recusal. *See Studley, supra.* Ms. Tucker otherwise fails to present sufficient
14 evidence of bias.

15 Accordingly, the Court hereby finds and ORDERS that Judge Jones’s refusal to recuse
16 himself from this matter, Dkt. #45, is AFFIRMED.

17 DATED this 16th day of October, 2020.

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20 RICARDO S. MARTINEZ
21 CHIEF UNITED STATES DISTRICT JUDGE
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